

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

IN RE

Jose Rodriguez Ruiz  
Jo Anne Vázquez Rodriguez

CASE NO. 15-07632 EAG

**DEBTOR (S)**

CHAPTER 13

JOSE RODRIGUEZ RUIZ  
JO ANNE VAZQUEZ RODRIGUEZ

ADV. PROC. NO.16-00205

**PLAINTIFF (S)**

VS.

SECRETARY OF JUSTICE, CESAR MIRANDA  
RETIREMENT ADMINISTRATION SYSTEM, PEDRO  
ORTIZ CORTES, DIRECTOR, POLICE DEPT.,  
JOSE CALDERO, POLICE SUPERINTENDENT  
PUERTO RICO COMMONWEALTH EMPLOYEES'  
ASSOCIATION

**DEFENDANT(S)**

**ANSWER TO THE COMPLAINT**

**TO THE HONORABLE COURT:**

**COMES NOW**, the Puerto Rico Commonwealth Government of Puerto Rico Employees' Association hereinafter, "AEELA", through the undersigned attorney and very respectfully states and prays:

**PRELIMINARY STATEMENT:**

1. Paragraph 1 and 2 are denied.

## **JURISDICTION, VENUE AND PARTIES**

1. Paragraph 3 is admitted.
2. Paragraph 4 is admitted in part and denied in part. AEELA has no connection with the present cause of action.
3. Paragraphs 5, 6, 7, 8, and 9, does not require an answer from the appearing party.
4. Paragraph 10 is admitted.

### **Facts**

5. Paragraphs 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, are denied.

## **AFFIRMATIVE DEFENSES**

1- The Complaint fails to state a cause of action upon which relief can be granted against AEELA. The present complaint deals with a mortgage loan granted by Administración de Sistemas de Retiro de Empleados de Gobierno y de la Judicatura, ( Puerto Rico's Government Retirement Administration System), AEELA has no connection with this organization neither granted the mortgage loan in question.

2- AEELA has not incurred in any action against plaintiffs, neither committed any willful violation of the stay. AEELA has been incorrectly included in the present action because of an error committed by Plaintiffs' legal representation and/ or in the filing of the Proof of Claim filed by Administración de Sistemas de Retiro, and /or the Court's Claim Register. Administración de Sistemas de Retiro has been named incorrectly using AEELA's acronym, AEELA.

3- AEELA and Administración de Sistemas de Retiro are two separate and different organizations.

4- AEELA has not incurred in any act against plaintiffs' neither has acted with any maliciousness.

5- Plaintiffs' allegations against AEELA are totally vicious and ungrounded.

6- Plaintiff's damages allegations are generalized assertions of emotional distress without any kind of specificity of facts or allegations to support them.

7- AEELA has not acted in bad faith neither engaged in coercion or harassment against plaintiffs', neither has anything to do with Plaintiffs' allegations.

8- Plaintiff is stopped from bringing this action.

9- Statute of limitations applies.

10- This action is frivolous and without cause.

11- Any allegations in the complaint not expressly and/or affirmatively admitted shall be considered DENIED.

12- Administración de Sistemas de Retiro del Gobierno de Puerto Rico y la Judicatura, and the Department of Justice of Puerto Rico are liable to AEELA in case AEELA is find liable in any way in the present case and has to compensate the Plaintiffs'.

13- AEELA, reserves the right to raise any additional affirmative defenses.

**NOW WHEREFORE**, it is respectfully requested from this Honorable Court to DENY Plaintiffs' Complaint, granting AEELA expenses, fees and costs and any other relief that this Honorable Court may deem just, equitable and appropriate.

**CERTIFICATE:** I hereby certified that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF filing system, which will send notification of such filing to Mrs. Elbia Vázquez

Dávila at [evazquezdavila@yahoo.com](mailto:evazquezdavila@yahoo.com)., and the Department of Justice of Puerto Rico by regular mail.

In San Juan, Puerto Rico, this October 31st, 2016.



**ROSARIO VIDAL ARBONA, ESQ.**

ATTORNEY FOR CREDITOR

USDC-PR #221713

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